

REMARKS

The Office Action dated July 10, 2008 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 13, 14, 17, 18 and 20-23 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claims 24-30 have been newly added. No new matter has been added and no new issues are raised which require further consideration or search. Claims 13, 14, 17, 18 and 20-30 are presently pending.

The Office Action rejected claims 19, 20 and 22 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the phrase “computer readable medium” is allegedly not disclosed in the specification. This rejection is respectfully traversed.

Page 9, lines 20-30 of the present application discloses that “the baseband processing and the controller may be implemented in a single programmable unit (e.g. a CPU or a signal processor) or in a plurality of units. The operation according to the present invention is primarily related to the controller part of the MS, and the basic invention may be implemented as program modifications in the control program of the MS, for example. It should also be appreciated that the present invention is not intended to be restricted to mobile stations...the user terminal may be a terminal (such as a personal computer PC).”

As noted in the above-described portion of the specification, certain features of the claims may be implemented in a processor (CPU) or a personal computer (PC). Claim 20 recites a computer-readable storage device and claims 22 and 23 recite a computer readable medium and a computer program. The CPU and/or PC disclosed in the specification are configured to execute a computer program and may provide a storage device and/or a computer readable medium. Accordingly, the specification does provide support for the computer program claims 20, 22 and 23. Withdrawal of this rejection is kindly requested.

Claims 13, 14, 17 and 18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mathis (U.S. Patent Publication No. 2003/0119540) in view of Haimes (U.S. Patent Publication No. 2003/0105820) and further in view of Griffin (U.S. Publication No. 2003/0155447). The Office Action took the position that Mathis discloses all of the elements of the claims, with the exception of an ad-hoc group call and sending a speech item request at certain intervals or based on real-time transport protocol. The Office Action then cited Haimes and Griffin as allegedly curing this deficiency in Mathis. This rejection is respectfully traversed for at least the following reasons.

Claim 13 recites a method that includes storing a list of subscribers in a phonebook application in a subscriber device. The method also includes storing presence information of the subscribers in the phonebook application. The presence information including information on the availability of the subscribers for a group call. The method also includes opening the phonebook application in response to a predetermined input

from the user interface. The method also includes displaying the list of subscribers on the user interface. In response to the user's selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface, displaying a group communications menu on the user interface. In response to the user selecting a predetermined operation in the group communications menu or the user pressing a predetermined button, providing appropriate signaling with a group communication service in a network infrastructure for establishing the new ad-hoc group call with the newly selected individual subscribers and the user of the subscriber device. The method also includes sending a speech item or a speech item request each time a talk activity is detected or indicated in the subscriber device during the ad hoc group call. The speech item or the speech item request is sent based on real-time transport protocol.

Claim 14 recites a method that includes storing a list of subscribers in a phonebook application in a subscriber device. The method also includes storing presence information of the subscribers in the phonebook application, the presence information including information on the availability of the subscribers for a group call. The method also includes opening the phonebook application in response to a predetermined input from the user interface, and displaying the list of subscribers on the user interface. The method also includes receiving the user's selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface. In response to the user pressing a predetermined button, providing appropriate signaling with a group communication service in a network infrastructure for establishing the new ad-hoc group

call with the newly selected individual subscribers and the user of the subscriber device. The method also includes sending a speech item or a speech item request each time a talk activity is detected or indicated in the subscriber device during the ad hoc group call. The speech item or the speech item request is sent based on the real-time transport protocol.

Claim 17, upon which claims 24 and 25 are dependent, recites an apparatus that includes a controller configured to display a list of subscribers of a phonebook application on a user interface. The phonebook application contains the list of subscribers and presence information of the subscribers, and the presence information includes information on the availability of the subscribers for a group call. The apparatus also includes that the controller is configured, in response to the user's selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface, to display a group communications menu on the user interface. The apparatus also includes that the controller is configured, in response to the user selecting a predetermined operation in the group communications menu or the user pressing a predetermined button, to exchange appropriate signaling with a group communication service in a network infrastructure for establishing the new ad-hoc group call with the newly selected individual subscribers and the user of the apparatus. The apparatus also includes that the controller is configured to send a speech item or a speech item request each time a talk activity is detected or indicated in the apparatus during the ad hoc group

call. The speech item or the speech item request is sent based on real-time transport protocol.

Claim 18, upon which claim 26 is dependent, recites an apparatus that includes a controller configured to display a list of subscribers of a phonebook application on a user interface. The phonebook application contains the list of subscribers and presence information of the subscribers, and the presence information includes information on the availability of the subscribers for a group call. The controller is configured, in response to the user's selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface, to display a group communications menu on the user interface. The apparatus also includes the controller being configured, in response to the user's selection of two or more subscribers from the list via the user interface and the user selecting a predetermined operation in the group communications menu or the user pressing a predetermined button, providing appropriate signaling with a group communication service in a network infrastructure for establishing the new ad-hoc group call with the newly selected individual subscribers and the user of the apparatus. The apparatus also includes the controller being configured to send a speech item or a speech item request each time a talk activity is detected or indicated in the apparatus during the ad hoc group call. The speech item or the speech item request is sent based on real-time transport protocol.

Claim 20 recites a computer-readable storage device that includes an executable program that includes, a phonebook application routine configured to store a list of

subscribers in a subscriber device of a communications system, and to store presence information of the subscribers in the phonebook application, the presence information including information on the availability of the subscribers for a group call. The computer program further includes a routine configured, in response to receiving, via a user interface from a user of the subscriber device, group call activation with a selection of two or more individual subscribers for a new ad-hoc group call from the phonebook to provide an appropriate signaling with a group communication service in a network infrastructure for establishing the new ac-hoc group call with the newly selected individual subscribers and the user of the subscriber. The program further provides a routine configured to configured send a speech item or a speech item request each time a talk activity is detected or indicated in the subscriber device during the ad hoc group call, wherein the speech item or the speech item request is sent based on real-time transport protocol.

Claim 21, upon which claims 27-30 are dependent, recites an apparatus that includes a radio transceiver with a group communication capability. The apparatus includes a memory containing a list of subscribers of a phonebook application, and presence information of the subscribers, the presence information including information on the availability of the subscribers for a group call. The apparatus also includes a controller connected to a user interface from a user of the apparatus via which a group call activation can be received with a selection of two or more individual subscribers for a new ad-hoc group call from the list of the phonebook application. The controller being

further connected to the transceiver to send via the transceiver to a group communication service in a network infrastructure an ad-hoc group call setup signaling for the new ad-hoc group call with the newly selected individual subscribers and the user of the apparatus. The controller being configured to send a speech item or a speech item request each time a talk activity is detected or indicated in the apparatus during the ad hoc group call, wherein the speech item or the speech item request is sent based on real-time transport protocol.

Claim 22 recites a computer-readable medium encoding an executable program of instructions being configured to control a processor to perform certain operations. The operations include storing a list of subscribers in a phonebook application in a subscriber device. Other operations include storing presence information of the subscribers in the phonebook application, the presence information including information on the availability of the subscribers for a group call. Other operations include opening the phonebook application in response to a predetermined input from the user interface, and displaying the list of subscribers on the user interface. In response to the user's selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface, displaying a group communications menu on the user interface. In response to the user selecting a predetermined operation in the group communications menu or the user pressing a predetermined button, providing appropriate signaling with a group communication service in a network infrastructure for establishing the new ad-hoc group call with the newly selected individual subscribers and the user of the subscriber

device. The operations may also include sending a speech item or a speech item request each time a talk activity is detected or indicated in the subscriber device during the ad hoc group call, wherein the speech item or the speech item request is sent based on real-time transport protocol.

Claim 23 recites a computer-readable medium encoding an executable program of instructions being configured to control a processor to perform certain operations. Those operations may include storing a list of subscribers in a phonebook application in a subscriber device. Other operations include storing presence information of the subscribers in the phonebook application, the presence information including information on the availability of the subscribers for a group call, and opening the phonebook application in response to a predetermined input from the user interface. Other operations include displaying the list of subscribers on the user interface, and receiving the user's selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface. In response to the user pressing a predetermined button, providing appropriate signaling with a group communication service in a network infrastructure for establishing the new ad-hoc group call with the newly selected individual subscribers and the user of the subscriber device. Other operations include sending a speech item or a speech item request each time a talk activity is detected or indicated in the subscriber device during the ad hoc group call. The speech item or the speech item request is sent based on real-time transport protocol.

As will be discussed below, the combination of Mathis, Haims and Griffin fails to disclose or suggest all of the elements of the claims, and therefore fails to provide the features discussed above. The rejection is respectfully traversed for at least the following reasons.

Mathis discloses a method for conducting a group call among client devices based on presence information of the client devices. Each client device has access to a contact list, which identifies one or more of the talk groups configured for the communication network. Each contact list may be stored in a memory of the respective client device, or, instead may be collectively stored in a memory located in the communications network. In one example, the contact lists are stored in a memory of the server (See paragraph [0012], lines 1-4 and 14-18 of Mathis). The group call server may also be configured with the list of client devices assigned to each talk group and with any call-start restrictions (See paragraph [0015], lines 7-10 of Mathis).

In operation, in order to place a group call, a user selects the desired talk group from the contact list (see paragraph [0018], lines 1-4 of Mathis) and presses the push-to-talk button to send a service request to the server or dispatch group call service (see paragraph [0018], lines 16-19 of Mathis). In other words, Mathis discloses using predefined talk groups and placing group calls to a corresponding predefined talk group. Mathis is directed to the type of system recognized by the prior art disclosed on page 2, lines 21-32 of the present application. Referring to page 2 of the present application, “group communications has conventionally been based on predefined...static groups.”

The specification also notes that dynamic group management is not as easy to maintain or update.

In the rejection of independent claims 13, 17, 18, 22 and 23, the Office Action alleged that FIG. 2 and paragraphs [0016] and [0018] of Mathis discloses that “in response to the user’s selection of two or more subscribers from the list via the user interface, displaying a group communications menu on the user interface”, and “selecting group TG1 means users A and B are selected which broadly reads on the limitation of selection of two or more subscribers” (see page 3, lines 12-18 of the Office Action).

Applicant submits that the above-noted portions, and, the other remaining portions of Mathis’ disclosure does not disclose or suggest “in response to the user’s selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface, displaying a group communications menu on the user interface; and...providing appropriate signaling with a group communication service in a network infrastructure for establishing said new ad-hoc group call with said newly selected individual subscribers and the user of the subscriber device”, as recited, in part, in independent claim 13 and similarly in independent claims 13, 14, 17, 18 and 20-23. Conversely, Mathis explicitly discloses selecting a predetermined group of subscribers (i.e., the group TG1) (see FIGS. 2 and 3 with predefined users associated with a predefined group). Mathis simply fails to disclose selecting two or more **individual** subscribers for a new ad-hoc group call. All selecting performed in Mathis is executed in

a group selection manner that is that same as using static, pre-defined lists of users recognized by the present application as prior art.

Moreover, Mathis also fails to disclose “displaying the list of subscribers on the user interface” in response to a predetermined input from the user interface. Mathis also fails to disclose “selecting a predetermined operation in the group communications menu or the user pressing a predetermined button...for establishing said new ad-hoc group call with said newly selected individual subscribers”, as recited in the pending claims. In Mathis, there is no group communication menu displayed after selecting a pre-defined static talk group from a contact list in Mathis. Only one display is maintained in Mathis (see FIGS. 2 and 3 of Mathis which illustrate a user display with no individual member selection options). In addition to the above-noted deficiencies of Mathis, Haimes and Griffin also fail to cure the deficiencies of Mathis with respect to the pending claims.

Haimes discloses a method for providing online communications to user devices 110a in a secure manner. An ad-hoc session may be established which includes real-time availability resources. Ad-hoc communication sessions may be stored at communication server 200. The information may include time, date, number of participants, the topic of discussion planned at the meeting etc. A contact list 810 may be used to provide information regarding the users availability to be contacted via voice or text or instant messaging.

Haims fails to disclose “in response to the user’s selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface,

displaying a group communications menu on the user interface; and...providing appropriate signaling with a group communication service in a network infrastructure for establishing said new ad-hoc group call with said newly selected individual subscribers and the user of the subscriber device”, as recited, in part, in independent claim 13 and similarly in independent claims 13, 14, 17, 18 and 20-23. The disclosure of Griffin is limited to voice and text integration, and also with ensuring the integrity of the data transmissions. In addition, the ad-hoc capabilities of Haims does not include allowing a user to make selections of individual user participants for an ad-hoc group call. Furthermore, Griffin also fails to cure those deficiencies of Mathis and Haims with respect to the pending claims.

Griffin discloses a system and method for providing chat group services to wireless mobile terminals. The chat forum permits integrated voice and text messaging. The system includes plural mobile terminals, each being capable of running a chat client application. A server complex is connected to one or more wireless carrier networks by way of a packet-based network, such as the Internet. The server complex includes server applications and components for supporting the chat group services and communicating with the chat clients on the mobile terminals.

Griffin fails to disclose “in response to the user’s selection of two or more individual subscribers for a new ad-hoc group call from the list via the user interface, displaying a group communications menu on the user interface; and...providing appropriate signaling with a group communication service in a network infrastructure for

establishing said new ad-hoc group call with said newly selected individual subscribers and the user of the subscriber device”, as recited, in part, in independent claim 13 and similarly in independent claims 13, 14, 17, 18 and 20-23. The disclosure of Griffin is limited to voice and text integration, and also with ensuring the integrity of the data transmissions.

Therefore, Applicants submit that Mathis, Haims and Griffin fail to teach all of the subject matter of independent claims 1, 13, 14, 17, 18 and 20-23. By virtue of dependency, Mathis, Haims and Griffin also fail to teach the subject matter of those claims dependent thereon. Withdrawal of the rejection of claims 13, 14, 17, 18 and 20-23 is kindly requested.

For at least the reasons discussed above, Applicants respectfully submit that the cited references fail to disclose or suggest all of the elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 13, 14, 17, 18 and 20-30 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



Kamran Emdadi
Registration No. 58,823

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Vienna, Virginia 22182-6212
Telephone: 703-720-7800
Fax: 703-720-7802

KE:sjm

Enclosures: Petition for Extension of Time
RCE
Check No. 19936